IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.21/2003

Manjit s/o Surjit Singh,
r/o. Mohali, Chandigarh (UT),
presently lodged in
Central Jail, Aguada, Goa. .... Petitioner.

V/s.

State of Goa,
through the Inspector General
of Prisons. .... Respondent.

Mr. S.N. Sardessai, Public Prosecutor for the State.

CORAM : F.I. REBELLO &
P.V. HARDAS, JJ.

DATE : AUGUST 6, 2003.

ORAL JUDGMENT : (Per REBELLO, J.)

Rule. Respondent waives service. Heard forthwith.

2. A letter has been sent by an inmate of Central Jail Aguada, who is in custody since 3.1.2000. It is his grievance that on conviction, he has been transferred to Central Jail, Aguada on 7.12.2001 and he is undergoing sentence at the said jail. He has shown the list of dates on which dates he had made telephonic communications with his family at Chandigarh. It is pointed out that the petitioner and other inmates of the Aguada Jail who have to make telephonic communications, have to pay Rs.200/- per trip as taxi charges to go to

the telephone booth at Candolim, which is about 2 kms. from the Central Jail Aguada, where the petitioner is lodged. The petitioner has made representation regarding his grievance of paying Rs.200/- per trip as taxi fare and he had requested that he may be allowed to go to Panaji along with the prisoners so that he could avail off the facility thereby saving Rs.200/- on the taxi fare. There has been no action.

3. Merely because a person is convicted, does not result in denial of his right to communicate with his family, specially in a case like this, where the convict is from other than the State of Goa in terms of the rules as existing. In these circumstances, it is imperative that the respondent/State takes some steps to provide a telephone facility at Aguada Jail itself by moving the Telephone Department for installation of a Public Telephone Booth, having STD facility at the Aguada Jail itself. That can be operated either by the Jail Authorities or with such arrangement which the authorities may think it proper.

4. In the light of that, the Inspector General of Prisons is directed, within two months from today, to make arrangement for installing a Public Telephone Booth at the Central Jail, Aguada. The General Manager,

Bharat Sanchar Nigam Limited, on the request being made by the Inspector General of Prisons, to sanction a Public Telephone Booth at Aguada Jail on such terms and conditions, and within one month from the date of receipt of such a request The Inspector General of Prisons is directed to file compliance report to this Court within three months thereafter.

Rule accordingly. Petition stands disposed of. No order as to costs.

F.I. REBELLO, J.

P.V. HARDAS, J.

ssm.